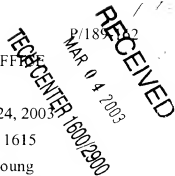


**REPLY UNDER 37 C.F.R. §1.116  
EXPEDITED PROCEDURE  
GROUP ART UNIT 1615**



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Antonio Parente DUENA et al.

Date: February 24, 2003

Serial No.: 09/913,671

Group Art Unit: 1615

Filed: September 24, 2001

Examiner: M. Young

For: MICRO-CAPSULES FOR THE SUSTAINED RELEASE OF DRUGS

Assistant Commissioner for Patents  
Box AF  
Washington, D.C. 20231

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated October 22, 2002 of the Primary Examiner finally rejecting claims 1-11.

The Appeal Fee (\$160 - Small Entity) is

- ☒ [X] Enclosed  
☐ [ ] Not required (fee paid in prior appeal)  
☐ [ ] Charge to Deposit Account No. 15-0700

If this communication is filed after the shortened statutory time period had elapsed and no separate Petition is enclosed, the Commissioner of Patents and Trademarks is petitioned, under 37 C.F.R. §1.136(a), to extend the time for filing a response by the number of months which will avoid abandonment under 37 C.F.R. §1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 15-0700. In the event that the actual Appeal Fee is greater than the payment submitted herewith or is not enclosed, the Patent Office is authorized to charge the underpayment to Deposit Account No. 15-0700.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on February 24, 2003:

Charles C. Achkar

Name of applicant, assignee or  
Registered Representative

*Charles C. Achkar*

Signature  
February 24, 2003

Date of Signature

WOG/CC'A:lac

Respectfully submitted,

*Charles C. Achkar*

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